

IN THE CLAIMS

1. (Currently Amended) A method for displaying on a viewer information processing system with an interface to a display, a set of multimedia segments to form a multimedia presentation, the method comprising the steps of:

receiving a play-list and program content from a program provider, wherein the play-list is a list of instructions for the rendering of one or more multimedia segments into a multimedia presentation;

wherein the play-list is based on a user's demographics assembled by the program provider;

wherein the play-list contains pointers to indicate where each of the multimedia segments selected from a group of primary media sources consisting of broadcast stream, internet, and removable computer readable medium is located;

wherein the play-list contains a time when the multimedia segment is to be rendered; and

wherein the play-list contains an entry indicating if the multimedia segment is rendered as video with a customized audio overlay;

receiving from the program provider the multimedia segments required by the play-list;

determining if all the multimedia segments required by the play-list have been received and in response to one or more multimedia segments not received, then requesting one or more missing multimedia segments from a secondary media source different than the primary media source from which the multimedia segments were previously requested but not received, wherein the secondary media source is selected from the group of secondary media sources consisting of a second broadcast channel, internet, and removable computer readable medium; and

receiving the multimedia presentation on the display by rendering the multimedia segments as directed by the play-list.

2. (Previously presented) The method of claim 1 wherein the step of receiving the multimedia segments includes storing at least one multimedia segment.

3. (Original) The method for displaying according to claim 1, wherein the step of receiving the multimedia segments includes receiving at least one multimedia segment over a broadcast infrastructure.

4. (Original) The method for displaying according to claim 1, wherein the step of receiving the multimedia segments includes receiving at least one multimedia segment from a computer readable storage medium.

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5. (Original) The method for displaying according to claim 1, wherein the step of receiving the multimedia segments includes receiving at least one multimedia segment over a telecommunications network.

6. (Original) The method for displaying according to claim 5, wherein the step of receiving at least one multimedia segment over a telecommunications network includes receiving at least one multimedia segment over the Internet.

7. (Original) The method for displaying according to claim 1, further comprising the step of:

displaying the multimedia segments from the information processing system on a television set.

8. (Previously presented) The method for displaying according to claim 1, wherein the step of receiving the multimedia segments includes receiving at least one multimedia segment which is an advertisement.

9. (Previously presented) The method for displaying according to claim 1, wherein the step of receiving the multimedia segments includes receiving at least one multimedia segment of which is program content.

10. (Previously presented) The method for displaying according to claim 1, wherein the step of receiving a play-list includes receiving a play_list with a date when the multimedia segment is to be rendered.

11. (Currently Amended) A method for distributing program content from a program provider over a telecommunications infrastructure to a plurality of clients capable of receiving program content broken into a plurality of multimedia segments forming a multimedia presentation, the method on a program provider comprising the steps of:

breaking program content into a plurality of multimedia segments;

transmitting at least one play-list and program content to at least one client, wherein the play-list is a list of instructions for the rendering of one or more multimedia segments into a multimedia presentation;

wherein the play-list is based on a user's demographics assembled by the program provider;

wherein the play-list contains pointers to indicate where each of the multimedia segments selected from a group of primary media sources ~~consisting of broadcast stream, internet, and removable computer readable medium~~ is located;

wherein the play-list contains a time when the multimedia segment is to be rendered; and

wherein the play-list contains an entry indicating if the multimedia segment is rendered as video with a customized audio overlay;

determining if all the multimedia segments required by the play-list have been received and in response to one or more multimedia segments not received, then requesting one or more missing multimedia segments from a secondary media source different than the primary media source from which the multimedia segments were previously requested but not received, wherein the secondary media source is selected

from a group of secondary media sources consisting of a second broadcast channel, internet, and removable computer readable medium; and

transmitting the multimedia segments required by said play-lists that form the multimedia presentation.

12. (Previously Presented) The method of claim 11, where the program provider transmits at least one multimedia segment to at least one client prior to the multimedia presentation by the client.

13. (Previously presented) The method of claim 11, further comprising the step of:
grouping one or more clients receiving a play-list based on the demographics of the viewers of the multimedia presentation; and

wherein the step of transmitting at least one play-list includes transmitting the identical play-list to one or more clients based on the grouping.

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14. (Original) The method of claim 11 for distributing program content, wherein the step of transmitting multimedia segments includes transmitting at least one multimedia segment on a computer readable storage medium.

15. (Original) The method of claim 11 for distributing program content wherein the step of transmitting at least one multimedia segment includes transmitting at least one multimedia segment over a cable network.

16. (Original) The method of claim 11 for distributing program content, wherein the step of transmitting the multimedia segments includes transmitting at least one multimedia segment over a telecommunications network.

17. (Original) The method of claim 16, for distributing program content wherein the step of transmitting at least one multimedia segment over a telecommunications network includes transmitting at least one multimedia segment on the Internet.

18. (Currently Amended) A computer readable medium comprising programming instructions for displaying on a viewer information processing system with an interface to a display, a set of multimedia segments to form a multimedia presentation, the programming instructions comprising

receiving a play-list and program content from a program provider, wherein the play-list is a list of instructions for the rendering of one or more multimedia segments into a multimedia presentation;

wherein the play-list is based on a user's demographics assembled by the program provider;

wherein the play-list contains pointers to indicate where each of the multimedia segments selected from a group of primary media sources ~~consisting of broadcast stream, internet, and removable computer readable medium~~ is located;

wherein the play-list contains a time when the multimedia segment is to be rendered; and

wherein the play-list contains an entry indicating if the multimedia segment is rendered as video with a customized audio overlay;

receiving from the program provider the multimedia segments required by the play-list;

determining if all the multimedia segments required by the play-list have been received and in response to one or more multimedia segments not received, then requesting one or more missing multimedia segments from a secondary media source different than the primary media source from which the multimedia segments were previously requested but not received, wherein the secondary media source is selected from a group of secondary media sources consisting of a second broadcast channel, internet, and removable computer readable medium; and

displaying the multimedia presentation on the display by rendering the multimedia segments as directed by the play-list.

19. (Previously Presented) The computer readable medium of claim 18, wherein said programming instruction includes receiving at least one multimedia segment prior to the presentation being displayed, and storing at least one multimedia segment.

20. (Original) The computer readable medium according to claim 18, wherein the programming instruction of receiving the multimedia segments includes receiving at least one multimedia segment over a broadcast infrastructure.

21. (Original) The computer readable medium according to claim 18, wherein the programming instruction of receiving the multimedia segments includes receiving at least one multimedia segment from a computer readable storage medium.

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22. (Previously Presented) The computer readable medium according to claim 18, wherein the programming instruction of receiving multimedia segments includes receiving at least one multimedia segment over a telecommunications network.

23. (Original) The computer readable medium according to claim 22, wherein the programming instruction of receiving at least one multimedia segment over a telecommunications network includes receiving at least one multimedia segment over the Internet.

24. (Previously Presented) The computer readable medium according to claim 18, wherein the programming instruction of displaying includes displaying the multimedia segments from the information processing system on a television set.

25. (Previously Presented) The computer readable medium according to claim 18, wherein the programming instruction of receiving multimedia segments includes receiving at least one multimedia segment of an advertisement.

26. (Previously Presented) The computer readable medium according to claim 18, wherein the programming instruction of receiving multimedia segments includes receiving at least one multimedia segment of program content.

27. (Previously presented) The computer readable medium according to claim 18, wherein the programming instruction of receiving a play-list includes receiving a play-list with a date when the multimedia segment is to be rendered.

28. (Currently Amended) A viewer information processing system with an interface to a display, for receiving a set of multimedia segments to form a multimedia presentation, the viewer information system comprising

a receiver for receiving a play-list and program content from a program provider wherein the play-list is a list of instructions for the rendering of one or more multimedia segments into a multimedia presentation;

wherein the play-list is based on a user's demographics assembled by the program provider;

wherein the play-list contains pointers to indicate where each of the multimedia segments selected from a group of primary media sources ~~consisting of broadcast stream, internet, and removable computer readable medium~~ is located;

wherein the play-list contains a time when the multimedia segment is to be rendered; and

wherein the play-list contains an entry indicating if the multimedia segment is rendered as video with a customized audio overlay;

a receiver for receiving the multimedia segments from the program provider;

means for determining if all the multimedia segments required by the play-list have been received and in response to one or more multimedia segments not received, then requesting one or more missing multimedia segments from a secondary media source different than the primary media source from which the multimedia segments were previously requested but not received, wherein the secondary media source is selected from a group of secondary media sources consisting of a second broadcast

channel, internet, and removable computer readable medium

a means for rendering the multimedia segments into a multimedia presentation as directed by the play-list; and

an interface to a display for displaying said multimedia presentation.

29. (Previously Presented) The viewer information processing system of claim 28, further comprising an interface to storage for storing at least one multimedia segment.

30. (Original) The viewer information processing system according to claim 28, wherein the receiver has an interface to a broadcast infrastructure.

31. (Original) The viewer information processing system according to claim 28, wherein the receiver has an interface to a computer readable storage medium.

32. (Original) The viewer information processing system according to claim 28, wherein the receiver has an interface to a telecommunications network.

33. (Original) The viewer information processing system according to claim 32, wherein the receiver interface to a telecommunications network includes an interface to the Internet.

**FINAL OFFICE ACTION IS INAPPROPRIATE IN VIEW OF
NEWLY CITED ART LINDSTROM**

Applicants have studied the Office Action dated February 2, 2004. Applicants respectfully request entry of these remarks under the provisions of 37 C.F.R. § 1.116(a) in that the remarks below place the application and claims in condition for allowance, which allowance is respectfully requested. Applicants have studied the Final Office Action dated February 2, 2004. No new matter has been added. It is submitted that the application, as amended is in condition for allowance. By virtue of this amendment, claims 1-33 are pending. Reconsideration and further examination of the pending claims in view of the above amendments and the following remarks is respectfully requested.

As an initial matter, the Examiner made the Office Action final based on a new ground of rejection not stated in the earlier Office Action. Applicants respectfully traverse this decision. In the Final Office Action, the Examiner rejected claims 1-9, 11-26, and 28-33 by citing Picco (U.S. 6,029,045) in view of Lindstrom (U.S. 5,029,014); and rejected claims 10 and 27 under 35 U.S.C. § 103(a) as being unpatentable over Picco (U.S. 6,029,045) in view of Lindstrom (U.S. 5,029,014) and in view of Official Notice taken by the Examiner. The Applicants respectfully point out that the Lindstrom reference was not cited in any or the previous Office Actions.

According to MPEP § 706.07(a): "Under present practice, second or any subsequent actions on the merits shall be final, except where the examiner introduces a new ground of rejection not necessitated by amendment of the application by applicant, whether or not the prior art is already of record." In the previous Office Action dated September 2, 2003, the Examiner rejected claims 1-33 under 35 U.S.C. § 102(e) as being anticipated by Picco (U.S. 6,029,045). In the previously-filed amendment, Applicants amended the independent claims 1, 11, 18, and 28 for clarity and to include an additional limitation of

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"wherein the palylist contains pointer to indicate where each of the multimedia segment selected from a group of media sources consisting of broadcast stream, internet, and removable computer medium is located." The Applicants did not switch from one subject matter to another or resort to any subterfuge to keep the application pending.¹ Thus, it is respectfully submitted that the final status of the Office Action is premature and should be withdrawn.

If the Examiner does not withdraw the final status of the Office Action, Applicants submit that this response does not raise new issues in the application. It is submitted that the present response places the application in condition for allowance or, at least, presents the application in better form for appeal. Entry of the present response is therefore respectfully requested.

¹ See MPEP § 706.07.